

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE FAILURE OF CERTAIN UTILITIES) ADMINISTRATIVE
TO FILE ANNUAL REPORTS OF GROSS) CASE NO. 303
OPERATING REVENUES)

O R D E R

On May 2, 1986, this Commission levied a fine of \$100 against Lovelaceville Water Company ("Lovelaceville") for its failure to file a Report of Gross Operating Revenues for the calendar year ending December 31, 1985. This Commission further ordered Lovelaceville to file the required report within 20 days of its order. The report was filed, but the fine was not paid. On August 7, 1986, this Commission levied an additional fine of \$100 against Lovelaceville for its failure to pay the earlier fine. The fines which total \$200 are still unpaid.

Lovelaceville requests that this Commission rescind the outstanding fines. While acknowledging its failure to make a timely filing of its 1985 annual report, it asks that this Commission take notice of some extenuating factors. Officials of Lovelaceville state that they mistakenly believed an extension to the report's filing deadline had been granted. They further argue that because of its small size and limited financial resources, imposition of the fines would impose an undue hardship on the utility's operations.

The Commission, after consideration of the record and being advised, is of the opinion and so finds that:

1. Lovelaceville failed to timely file a Report of Gross Operating Revenues for the calendar year ending December 31, 1985. Its failure was, in part, due to a mistaken belief that an extension of the filing deadline for the report had been granted.

2. Imposition of the fines would impose a financial hardship upon Lovelaceville's operations.

3. The fines should be suspended until April 2, 1989. If Lovelaceville timely files its Report of Gross Operating Revenues for the 1987 and 1988 calendar years, then the fines should be rescinded at the end of the suspension period. If it fails to make a timely filing of these reports, then the suspension period should end immediately and the fines should become payable again.


IT IS THEREFORE ORDERED that:

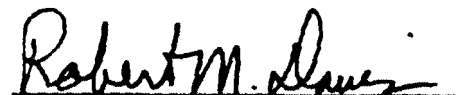
1. The fines levied against Lovelaceville shall be, and they hereby are, suspended until April 2, 1989. If Lovelaceville timely files with the Commission its Report of Gross Operating Revenues for the 1987 and 1988 calendar years, these fines shall be rescinded. Rescission shall occur on April 2, 1989, and shall not require any additional action by the Commission.

2. If Lovelaceville fails to make a timely filing of its Report of Gross Operating Revenues for the 1987 or 1988 calendar year, the suspension period shall end immediately and the fines shall become payable again.

Done at Frankfort, Kentucky, this 14th day of January, 1988.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:

Executive Director